

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Case No. 3:17-cr-00051-HZ-4

Plaintiff,

v.

**ORDER GRANTING MOTION TO
REDUCE SENTENCE**

JAVIER RUIZ PACHECO,

Defendant.

This matter is before the Court on the Mr. Pacheco's unopposed motion to reduce sentence under 18 U.S.C. § 3582(c)(1)(A)(i). Based on the motion and after full consideration of the relevant factors under 18 U.S.C. § 3553(a), the Court finds that extraordinary and compelling reasons warrant a reduction of the defendant's sentence to time served following full vaccination. Thus, the sentence is hereby amended for a term of: Time Served as of March 26, 2021, or when Mr. Pacheco receives his second dose of the coronavirus vaccine, whichever occurs later. The defendant shall be released after receiving his second dose of the vaccine, or the next following Monday if Mr. Pacheco receives his second dose on a Saturday or Sunday.

The Court concludes that the defendant's release under this order will not pose a danger to any other person or the community. This sentence reduction is consistent with the compassionate release statute and Sentencing Commission policy statements to the extent they are applicable.

The Court therefore GRANTS the Unopposed Motion to Reduce Sentence.

IT IS HEREBY ORDERED that an amended judgment and commitment order shall be prepared and entered forthwith in this case, in accordance with this decision. The amended judgment shall not become effective until March 26, 2021, or when Mr. Pacheco receives his second dose of the coronavirus vaccine, whichever occurs later, unless that date is a Saturday or Sunday, in which case the order will be effective the following Monday.

It is FURTHER ORDERED that Mr. Pacheco's supervised release conditions be amended to include home confinement until June 20, 2021.

Dated this 23 day of March, 2021.



Hon. Marco A. Hernández
United States District Court Judge